IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1384 OF 2006
IN
CRIMINAL APPEAL NO. 1320 OF 2006

Ishwar Ganpat Machhi ..Applicant
Vs.
State of Maharashtra ..Respondent

Mr. V.A. Gangal with Mr. Ashok Gade for applicant.
Ms. Usha V. Kejriwal, APP for State.

CORAM: B.H. MARLAPALLE & R.S. MOHITE,JJ.

Date : March 09, 2007.

P.C.:

. We have heard Mr. Gangal with Mr. Gade the learned counsel for the applicant who has filed Criminal Appeal No. 1320 of 2006. This is an application for bail and we have perused the oral depositions of the main witnesses as placed on record by Mr. Gangal. The dying declaration at Exh.16 has been found to be reliable by the trial court and the deceased had made an oral dying declaration to her mother Suman (PW 1) as has been noted by the trial court.

. We are satisfied that the accused-applicant does not deserve to be released on bail and, therefore, the application is rejected.

. Hearing of Criminal Appeal No.1320 of 2006 is expedited. The learned counsel for the appellant is at liberty to submit a private paper book which can be certified by the Registry on the basis of the R & P which has already been received.

. Liberty to apply for a fixed date of hearing.

(R.S. Mohite, J.) **(B.H. Marlapalle,J.)**